


ACKNOWLEDGED. Cases are dismissed without prejudice.


RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana

Date: 10/07/2024

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE: COOK MEDICAL, INC., IVC
FILTERS MARKETING, SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

Case No. 1:14-ml-2570-RLY-TAB
MDL No. 2570

This Document Relates to:

Carl House – Case No. 1:19-cv-1584
Betty Olsen – Case No. 1:19-cv-1602
Douglas Keller – Case No. 1:19-cv-1900
Larry K. Smith – Case No. 1:19-cv-1948
Jennifer Dinwiddie – Case No. 1:21-cv-6553
Kathy Miller – Case No. 1:21-cv-6695

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Case Management Order No. 32, and upon review of the Circuit Court's decision in *Sykes v. Cook Inc.*, 72 F.4th 195 (7th Cir. 2023), Plaintiffs in the above-captioned cases acknowledge that, based on review of the evidence, the amount in controversy in these matters do not exceed the jurisdictional threshold of \$75,000, exclusive of interest and costs, as required for this Court's exercise of subject matter jurisdiction. *See* 28 U.S.C. § 1332(a).

Accordingly, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiffs and the Cook Defendants stipulate to the dismissal of all claims in this action without prejudice for lack of subject-matter jurisdiction. Each party shall bear its own fees and costs.